

**NORTH AMERICAN WATER OFFICE**

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February 8, 2000

Ms. Wendy R. Dixon, EIS Project Manager
M/S 010
U.S. Department of Energy
Office of Civilian Radioactive Waste Management
Yucca Mountain Site Characterization Office
P.O. Box 30307
North Las Vegas, NV 89036-0307

RE: Comments of the North American Water Office on the Draft Environmental
Impact Statement for a Geologic Repository for the disposal of Spent Nuclear
Fuel and High Level Radioactive Waste at Yucca Mountain, Nye County, Nevada

Dear Ms. Dixon:

The North American Water Office (NAWO) is a federal 501 (c) 3 tax-exempt organization chartered in 1982 to educate people about solutions to environmental problems caused by wastes. NAWO has a particular focus on electric utility wastes, and on the disproportional impact those wastes have on Communities of Color and disenfranchised individuals and communities. Since 1988, NAWO has been intimately involved, virtually full-time, with a wide range of nuclear issues associated with high-level nuclear waste storage capacity problems experienced by Northern States Power Company (NSP) at its Prairie Island Nuclear Generating Station (PI). We work on these issues as the lead organization for a broad-based coalition of safe energy, tribal, environmental, social justice, religious, and community-based organizations.

Our collective efforts resulted in a 1994 Minnesota law limiting the amount of high-level nuclear waste NSP is allowed to produce and store at PI. In turn, this limit causes NSP to lead nuclear industry efforts to secure both public and private nuclear waste dumps at the national level. NAWO followed NSP into these national arenas, attempting to ensure that our efforts to protect Minnesota's public interest relative to the liabilities, risks, threats and damages of irradiated fuel do not result in subjecting other jurisdictions to irresponsible nuclear waste management schemes.

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George Crocker, Executive Director

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From this experience, we are very familiar with the Yucca Mountain proposition, why it is being pursued, and many of the problems it presents, in terms of our ability as a society to responsibly bequeath irradiated fuel to posterity. We have been to Yucca Mountain and toured DOE facilities there. We have read and reviewed the Yucca Mountain Draft EIS, and we are familiar with many of the comments DOE has received about it during the public comment period.

1 In general, NAWO strongly and enthusiastically supports the comments submitted by the Nevada Nuclear Waste Task Force, the Nuclear Information and Resource Service, the Western Shoshone Nation, Citizen Alert, Shundahai Network, and the elected representatives from Nevada, including the U.S. Senators and Representatives, and the Governor. While we wish to include several concerns for the record, we have no desire to be unduly repetitious, and will therefore refrain from the point-by-point critique presented by these parties. Do not misconstrue our desire to not waste your time as well as our own, however: [the DEIS is fatally flawed in multiple dimensions that have been specified by these above parties, and no "repository" can go forward in the face of these glaring, odious and utterly unacceptable inadequacies. Fail to correct these problems as you proceed with irradiated fuel management, and you will call upon yourselves the wrath of heaven, earth and hell, and you shall be judged as you judge.]

2 [The DEIS fails to address the fact that as time passes, and as more is learned about the nature of the proposed Yucca Mountain site as well as the nature of the material it proposes to store, the worse it looks. With more knowledge, the probability that the facility will fail increases. The probability increases that failure will occur sooner rather than later, and that failure will be more rather than less destructive to biological systems, including humans. This general conclusion is based on increasing knowledge of the following physical characteristics:

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- tectonic activity and the Ghost Dance Fault;
 - relatively recent volcanic activity;
 - the presence in the tunnel of crystalline rocks that could only have been formed in the presence of up-welling ground-water driven by magma;
 - the potential for small pockets of air found in crystalline structures to be relatively young;
 - high humidity in the tunnel;
 - porous rock and volcanic tuff that allows for the rapid migration of surface water through the site;
 - inability of the site to adequately defuse heat generated by irradiated fuel;
 - the new-found ability of plutonium and perhaps other long-lived fractions to chemically transition into forms that are soluble in air and water, and that can rapidly move into the biosphere (see Science Magazine, Vol 287 #5451, Jan. 14, 2000)

We make no claim that this list is exhaustive, but it serves to document the point that as people learn more about "show-stopper" problems with Yucca Mountain, rather than stopping the show and rethinking the "repository philosophy," standards are relaxed. Now, instead of being a permanent repository to contain Radionuclides for the required

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period of time, Yucca Mountain is a "planned release" facility that at best, will result in the long-term low-level exposure of untold numbers of people. And DOE is ignoring the evidence about the biological consequences of long-term low-level exposure, including the work of Dr. Abram Petkau. None of this is acceptable, and a repository under these conditions will not be allowed to operate.

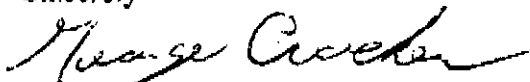
3 As a second general point, the DEIS argues that the "do nothing" alternative will cause damage at 72 reactor sites as waste storage facilities deteriorate. This is blackmail and extortion. If on-site storage facilities deteriorate, it will be because profits are more important to the commercial nuclear industry than safety, and because federal authorities are complicit in this priority of the industry. This attempt at extortion illustrates the point that the driving force behind Yucca Mountain is NOT the responsible management of nuclear waste, but rather the need the industry has to ship waste somewhere - anywhere - so it can keep producing more nuclear waste. While a nuclear dump in Yucca Mountain may ensure that the industry can continue to produce more waste, that is ALL it would accomplish. To enable further nuclear waste production is the ONLY reason to not abandon Yucca Mountain as a nuclear waste dump site.

4 In addition, the "do nothing" alternative creates the opportunity for society to move more rapidly to cleaner, safer, more cost-effective and economically equitable technologies for providing electric utility services. The idea "that we will starve while we freeze in the dark without a job" if we don't accommodate the industry by providing it with a dump, is nonsense. In fact, if the real cost of nuclear power were reflected on consumers' energy bills, society would not tolerate, nor could it afford, nuclear electricity. In reality, the present DEIS proposes to insulate the commercial nuclear industry from actual nuclear energy costs, and to foist those costs, both economic and in terms of public health and safety, onto future generations. That is not acceptable.

5 Finally, one would think that authorities who were attempting to implement a waste management program that is supposed to maintain its integrity for geological periods of time, would recognize the importance of maintaining political stability throughout the region for the required time-period. In this setting, it appears to us here in Minnesota that not enough attention is being paid to the people of Nevada and the Western Shoshone Nation, who are adamant and virtually unanimous in their opposition to a Yucca Mountain nuclear waste dump. It makes no sense to sow the seeds of political instability by forcing such a facility on unwilling people, when stability, both physically and politically, is essential to the success of a responsible nuclear waste management program.

Thank you for your consideration.

Sincerely



George Crocker
Executive Director